

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
MEDFORD DIVISION

JULIE A. JIMERSON-GONZALES,

Case No. 1:16-cv-00911-CL

Plaintiff,

**REPORT  
& RECOMMENDATION**

v.

NAN SILVER, Program Manager, Oregon  
Department of Human Services, ET AL.

Defendants.

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CLARKE, Magistrate Judge.

Julie A. Jimerson-Gonzales (“Plaintiff”) brings this civil action against numerous employees of the Oregon Department of Human Services (“Defendants”) for interfering with her parental rights. She has not paid the fee required to commence this action, nor has she submitted a motion to proceed in forma pauperis (“IFP”). This failure was intentional. Plaintiff writes “I do not wish my status to be diminished to that of a pauper; and requiring such of me is unlawful[.]”

All parties instituting any civil action, suit or proceeding in a district court of the United States, other than a writ of habeas corpus, must pay a filing fee of \$400. *See* 28 U.S.C. § 1914(a). An action may proceed despite a party’s failure to pay only if the party is granted leave to proceed IFP pursuant to 28 U.S.C. § 1915(a). *See Rodriguez v. Cook*, 169 F.3d 1176, 1177 (9th

Cir. 1999). Because Plaintiff has not paid the fee or moved to proceed IFP, her case is subject to immediate dismissal pursuant to 28 U.S.C. § 1914(a).

### RECOMMENDATION

Based on the foregoing, this action (#1) should be DISMISSED.

This recommendation is not an order that is immediately appealable to the Ninth Circuit Court of Appeals. Any notice of appeal pursuant to Federal Rule of Appellate Procedure 4(a)(1) should not be filed until entry of the district court's judgment or appealable order.

The Report and Recommendation will be referred to a district judge. Objections to this Report and Recommendation, if any, are due fourteen (14) days from today's date. If an objection is filed, any response to the objection is due within fourteen (14) days from the date of the objection. *See* FED. R. CIV. P. 72, 6. Parties are advised that the failure to file objections within the specified time may waive the right to appeal the District Court's order. *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

DATED this 6 day of June 2016.

  
MARK D. CLARKE

United States Magistrate Judge